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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,133	10/22/2003	Ernest C. Chen	PD-202129	4970
20991	7590	06/20/2006		
THE DIRECTV GROUP INC PATENT DOCKET ADMINISTRATION RE/R11/A109 P O BOX 956 EL SEGUNDO, CA 90245-0956			EXAMINER BAYARD, EMMANUEL	
			ART UNIT 2611	PAPER NUMBER

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,133

Applicant(s)

CHEN ET AL.

Examiner

Emmanuel Bayard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-13,15-20 and 22-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6,8-13 and 24-33 is/are allowed.
- 6) ☒ Claim(s) 15-20,22,23 and 34-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

This is in response to communication filed on 4/12/06 in which claims 1-6, 8-13, 15-20, 22-38 are pending and claims 7, 14 and 21 are canceled. The applicant's amendments have been fully considered but they are moot based on the new ground of rejection.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 15-20, 34-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 15 recites the limitation "the third equalizer" in line 11. There is insufficient antecedent basis for this limitation in the claim.
4. Claims 16-20 and 34-38 are also rejected because they depend on a base rejected claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by Hosoda et al U.S. Patent No 4,860,315.

As per claim 22, Hosoda teaches a blanket equalizer for equalizing digital data signals, comprising: a transversal filter (see figs. 4a 4b elements 19 and 36 and col.2, lines 65-67 and col.3, line 1) for receiving a reconstructed symbol sequence (see figs. 4a, 4b element Sr (k) and col.2, lines 64-66) from and adaptive quantizer is the same as the claimed (another equalizer) (see figs.4a, 4b elements 15, 32 and col.5, lines 55-60) and for filtering the reconstructed symbol sequence; and an adder for summing see figs.4a, 4b elements 20, 37 and col.1, lines 33-43 and col.2, lines 64-67 and col.3, lines 12-16) an input signal and the filtered reconstructed symbol sequence output from the transversal filter to create an estimated symbol sequence (see col.3, lines 10-30).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoda et al U.S. Patent No 4,860,315 in view of Tsujimoto U.S. Patent No 5,493,307

As per claim 23, Hosoda teaches all the features of the claimed invention except wherein the input signal is filtered by a matched filter and the matched filter's output is input to the adder.

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Tsujimoto teaches wherein the input signal is filtered by a matched filter (see figs 1, 3-5 element 9 and col. 5, line 53) and the matched filter's output is input to the adder.

It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Tsujimoto into Hosoda as to produce an output signal having a maximized signal-to-noise and to converge the time-dispersed components of the desired signal to the reference timing as taught by Tsujimoto (see abstract and col. 5, lines 51-55).

Allowable Subject Matter

8. Claims 1-6, 8-13, 24-33 are allowed over the prior art of record.
9. Claim 15 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Belfield et al U.S. Patent 4,655,863 teaches a wideband adaptive prediction.

Chennakesu et al U.S. Patent No 5,285,480 teaches an adaptive MLSE.

Gardner U.S. Patent NO 5,229,765 teaches a SP noise.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Bayard whose telephone number is 571 272 3016. The examiner can normally be reached on Monday-Friday (7:Am-4:30PM)
Alternate Friday off.

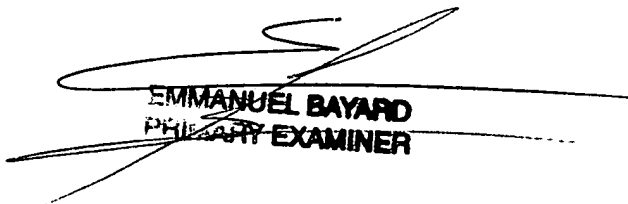
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571 272 2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Emmanuel Bayard
Primary Examiner
Art Unit 2611

6/16/06



EMMANUEL BAYARD
PRIMARY EXAMINER